

# Exhibit 2

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

K.C. HOPPS, LTD., )  
Plaintiff, )  
v. ) Case No. 20-cv-00437-SRB  
THE CINCINNATI INSURANCE COMPANY, )  
INC., )  
Defendant. )

## **ORDER**

Before the Court is Defendant The Cincinnati Insurance Company’s (“Defendant”)

Motion to Dismiss. (Doc. #8.) For the reasons set forth below, the motion is DENIED.

In this case, Plaintiff K.C. Hopps, Ltd. (“Plaintiff”) seeks insurance coverage related to COVID-19 under an all-risk property insurance policy it purchased from Defendant. On June 22, 2020, Defendant filed the pending motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). On July 22, 2020, this case was transferred from Judge Roseann Ketchmark to the undersigned. (Doc. #22.)

The undersigned is also presiding over a case captioned *Studio 417, Inc., et al. v. The Cincinnati Insurance Company*, Case No. 20-cv-03127-SRB. *Studio 417* involves the same Defendant, similar insurance provisions, and similar factual allegations as those asserted in this case. Defendant also moved to dismiss *Studio 417* under Rule 12(b)(6) based on similar legal arguments that it presents in this case. On August 12, 2020, the Court denied Defendant's motion to dismiss in *Studio 417*.

For substantially the same reasons as those in the *Studio 417* Order, the Court finds that Plaintiff's claims against Defendant are adequately stated. Consequently, Defendant's Motion to

Dismiss (Doc. #8) is DENIED. It is further ORDERED that Defendant's Motion to Stay Discovery pending a ruling on its Motion to Dismiss (Doc. #26) is DENIED AS MOOT.

**IT IS SO ORDERED.**

/s/ Stephen R. Bough  
STEPHEN R. BOUGH  
UNITED STATES DISTRICT JUDGE

Dated: August 12, 2020